

EXHIBIT 6

REDACTED

Gabe Newell

1

1 UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE
3

4 IN RE VALVE ANTITRUST LITIGATION) Case No.
5) 2:21-cv-00563-JCC
6)

7 VIDEO-RECORDED DEPOSITION UPON ORAL

8 EXAMINATION OF

9 GABE NEWELL

10 **HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY**
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14 9:09 A.M.

15 NOVEMBER 21, 2023

16 ARCTIC CLUB HOTEL

17 700 THIRD AVENUE

18 SEATTLE, WASHINGTON
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24 REPORTED BY: CARLA R. WALLAT, CRR, RPR

25 WA CCR 2578, OR CSR 16-0443, CA CSR 14423

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ALSO PRESENT:

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ANDY BOS, Concierge Technician - (Via Zoom)

CHRIS SCHENCK, Valve in-house counsel

1 telling third-party software developers how to price
2 their games on other platforms or other distribution
3 mechanisms.

4 Q. In a situation where a developer does price
5 lower on another store than it's selling the same game
6 on Valve or on Steam, Valve will do something, correct?

7 A. Valve does not have a policy or practice of
8 dictating prices to third-party software developers on
9 other platforms.

10 Q. So I'm asking a slightly different question.
11 I understand you've said Valve does not have a policy
12 or practice of telling developers how to price their
13 game.

14 My question is: If the developer prices its
15 game on another site lower than how they have priced
16 the same game on Valve, Valve will take action?

17 A. We don't have a policy or a practice of
18 dictating prices to third parties. I don't understand
19 why -- you're saying if we don't have that policy, why
20 we wouldn't take action. So I'm confused by your
21 question.

22 Q. Are you aware of instances where Valve has
23 taken action when a developer has offered its game for
24 sale on another platform compared to the price -- let
25 me reask the question.

1 A. Valve's policy is not to dictate or -- dictate
2 pricing to third-party software developers. I think
3 when David was asking about the contracts, I would have
4 referred him specifically to -- to the contracts and
5 the rules and guidelines. I do not think Tom's
6 interpretation of those is consistent with our business
7 and our practices.

8 Q. And why not?

9 A. Our policy and our practice have always been
10 to not dictate pricing to third-party software
11 developers.

12 Q. Are you surprised to see the paragraph I
13 quoted in Mr. Giardino's response to this developer,
14 David?

15 MR. CASPER: I object to the form of the
16 question.

17 A. I -- I would not have sent this paragraph to
18 the third party.

19 Q. (BY MR. O'ROURKE) Why not?

20 A. I would not have said -- I do not think this
21 is consistent with our policies and practices.

22 Q. And which part is not consistent with your
23 policies and practices?

24 A. This paragraph is written in a way that is not
25 consistent with our policies and practices.

1 Q. During that same time period, isn't it the
2 case that a large number of developers and customers
3 were complaining about the quality of Steam's
4 offerings, the shortcomings of the Steam platform?

5 A. We would say that many of our partners and
6 many of our customers are quite happy with the -- the
7 service that we're providing. We're always working
8 harder to continue to keep them happy and to provide
9 value to users and to third-party software developers
10 who aren't currently using our system.

11 Q. Would you be surprised if a number of Valve
12 employees themselves recognized that Valve was
13 essentially living on its laurels and not doing enough
14 to improve the quality and offerings of the Steam
15 platform?

16 MR. CASPER: I object to the form of the
17 question.

18 A. Valve's employees should be focused on making
19 our customers happy. They should focus on ways that we
20 can make our tools better for third-party software
21 developers. And part of that process is to be critical
22 of what we're doing right now and look for
23 opportunities to improve.

24 [REDACTED]
25 [REDACTED]

Gabe Newell

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